

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

L.B., a minor, by and through	)	
Next Friend, MICHAEL BUSCHMAN,	)	
	)	
<i>Plaintiff,</i>	)	
	)	Case No. 2:18-cv-04060-BCW
vs.	)	
	)	
JEFFERSON CITY SCHOOL DISTRICT,	)	
	)	
<u>ET AL.</u> ,	)	
	)	JURY TRIAL DEMANDED
<i>Defendants.</i>	)	

**PLAINTIFF’S MOTION FOR LEAVE TO AMEND THE FIRST  
AMENDED COMPLAINT BY NAMING THE JOHN DOE DEFENDANT**

COMES NOW Plaintiff, by and through counsel, and in compliance with FED. R. CIV. PRO. 15(a)(2) and with Local Rule 15.1(a), hereby moves for an Order granting Plaintiff leave to amend the First Amended Complaint [Doc. # 28] (“the Complaint”) by naming Deborah Kremer as the “John Doe” Defendant. In support of this Motion, Plaintiff states:

1. The Complaint includes a “John Doe” Defendant, who “was the individual or individuals responsible for implementing and enforcing the District Policies identified below [in the Complaint] at JCHS.” See the Complaint, ¶ 5 at p. 2.

2. The Complaint states, “Plaintiff will seek leave to amend the Complaint by substituting parties when the identity or identities of John Doe are revealed during discovery.”

*Id.*

3. At the deposition of Defendant Robert James, taken on September 13, 2018, it became clear that Deborah Kremer was the individual responsible for implementing and enforcing the District Policies identified in the Complaint at JCHS during the relevant time.

4. Ms. Kremer is an employee of Jefferson City School District who will likely be represented by the same counsel that represents the other Defendants.

5. Defendants have filed answers to the counts in the Complaint that are directed against John Doe.

6. Naming Ms. Kremer as a Defendant would not prejudice her or any other party in this case.

7. The only amendments that Plaintiff seeks to make to the Complaint are substitutions of the name “John Doe” with the name “Deborah Kremer.” Plaintiff does not seek to make any other substantive changes to the Complaint.

8. In accordance with Local Rule 15.1(a), a copy of the proposed Second Amended Complaint is attached to this Motion as Exhibit A.

WHEREFORE, Plaintiff respectfully requests that the Court grant her leave to amend the First Amended Complaint by naming Deborah Kremer as the “John Doe” Defendant.

RESPECTFULLY SUBMITTED

/s/ Daniel J. Rhoads

Daniel J. Rhoads, 59590 MO

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*Attorney for Plaintiff*

*L.B., a minor, by and through*

*Next Friend, Michael Buschman*

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was filed electronically with the Clerk of the Court on October 8, 2018, to be served by operation of the Court's electronic filing system upon:

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